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ABSTRACT

Citing statistics that show that its citizens are well catered for by the mass media, this paper answers questions concerning the media landscape in the Federal Republic of Germany. The paper discusses: (1) Structure and framework conditions of the German media (a historical review of the mass media since 1945); (2) Press (including its particular reliance on local news and the creation of the world status media group, Bertelsmann AG); (3) News agencies and public relations work (which insure a "never-ending stream" of information); (4) Radio and Television (with emphasis on the Federal Republic's surprisingly large number of radio stations--public, commercial, and "guest"); (5) New communication paths and media (especially communication and broadcasting satellites and cable in wideband-channel networks); (6) The profession of journalist (which still relies on on-the-job training rather than university degrees); and (7) Help for the media in the Third World (professional training in Germany of journalists and technical experts from underdeveloped countries appears to be the most appropriate way to promote Third World media). An appendix includes Germany's Freedom of Speech Law, statistical data on daily press development, a list of the 10 newspapers and magazines with the largest circulation, data on television, a 12-item bibliography, and pertinent addresses. (NKA)

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PRESS, RADIO AND TELEVISION IN THE FEDERAL REPUBLIC OF GERMANY

by

Georg Hellack

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CONTENTS

Page

Press, Radio and Television in the Federal Republic of Germany

I. Structure and framework conditions of the German media 1

1. After Zero Hour 1
2. The Germans assume responsibility once more 2
3. Press and broadcasting laws - a *Bundesländer* responsibility 5
4. Europe exerts influence 7

II. Press 7

1. Subscription newspapers determine the market 8
2. The national press 9
3. The kiosk-sales market is losing market shares 10
4. Further sectors of the press market 11
5. Magazines 12
6. Electronics is revolutionizing the press 13
7. Publicistic influence through economic clout 13
8. A media group of world status: Bertelsmann AG 15

III. News agencies and public relations work 15

1. News as a commodity: the news agencies 16
2. Special agencies and press services 17
3. State public relations work 18
4. The Press and Information Office of the Federal Government 18

IV. Radio and Television 20

1. Public broadcasting - chiefly a *Länder* matter 20
2. Broadcasting corporations with national functions 21
3. Broadcasting guests on German soil 23
4. Under one roof - the ARD 23
5. The largest television corporation - the ZDF 23
6. Supervision and control by the general public 24
7. Financing through licence fees and advertising 25
8. Many suppliers, one programme 26
9. Sound broadcasting - variety on VHF 27

V. New communication paths and media 28

1. New systems call for large investments 28
2. The competition for markets with unequal means 30
3. Press publishing firms are penetrating commercial broadcasting 31
4. The market is on the move 32
5. An attempt at cooperation in the dual system 34
6. Not all technologies are successful 35

VI. The profession of journalist 35

1. Journalist training 36
2. Journalists´ representative bodies 37
3. Self-monitoring instead of supervision 38

VII. Help for the media in the Third World 39

1. Training and further training a priority 39
2. Programme exchange has established itself 40
3. State development aid: a political responsibility 41

VIII. Appendix 42

1. Article 5 of the Basic Law of the Federal Republic of Germany 42
2. Statistics on the development of the daily press in the Federal Republic of Germany (1954-92) 43
3. The ten newspapers with the largest circulation 44
4. The ten magazines with the largest circulation 45
5. Percentage shares of the individual ARD broadcasting corporations in the First German Television (Channel 1) 46
6. Bibliography 47
7. Addresses 48

Visitors´ Information

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Press, Radio and Television in the Federal Republic of Germany

If one studies statistical data, it becomes apparent that the citizens of the Federal Republic of Germany are well catered for by the mass media: the daily press sells more than 26.5 million copies daily. Thus its newspaper density - based on the number of copies per thousand inhabitants - enjoys fourth place in the world after Japan, Great Britain and Switzerland. 34.9 million wireless licences and 31.2 million television licences have been issued.

But the statistics don't tell us much. What is more important : what is the extent of the freedom enjoyed by the mass media, their financial basis, the problems they have to tackle and their future in competition with new means of communication? This publication offers answers to these questions concerning the media landscape in the Federal Republic of Germany.

I. Structure and framework conditions of the German media

1. After zero hour

In 1945, the National Socialist totalitarian regime left behind a field of rubble in Germany: in the mass communication sector, too. Following Germany's defeat, the Occupying Powers abolished the old media system and embarked on the development of a new one which corresponded with their own political and social traditions. In the Western Occupation Zones, press and radio assumed an appropriate role within the framework of a free democratic pattern of state and society. In this respect, a basic structure of historical development remained intact until the 1980s: the press was organized on a private enterprise basis, broadcasting under public law. In the Soviet Occupation Zone, which subsequently became the German Democratic Republic, the media served the aims of the Communist party and was subjected to a tight system of control and directives. All private

(1)

property in the media sector was eliminated.

2. The Germans assume responsibility once more

There were two stages in the reorganization of the west German press: initially, some 160 newspapers were published on the basis of licences issued by the Occupying Powers - and consequently known as *Lizenzzeitungen*. When obligatory licensing was abolished on 23 September 1949, 137 newspapers were still being published in the Western Occupation Zones. Then the *Altverleger*, i.e. publishers who had owned newspapers and magazines before 1945, returned to the market. There was a flood of newly established and re-established newspapers with the result that, within the first nine months following the abolition of compulsory licensing, there were over 570 newspaper publishers in the Federal Republic of Germany - which had only just been founded. The publication of newspapers in the ex-German Democratic Republic (GDR) was placed in the hands of the political parties and mass organizations, 90% of which was accounted for by the German Socialist Unity Party´s own newspapers.

In the broadcasting sector, each of the Occupying Powers undertook reorganization according to differing critera. The *Reichs-Rundfunk-Gesellschaft* (Reich Broadcasting Company) which had been centrally organized up to 1945, was broken up. In all the Occupation Zones, **broadcasting corporations**, operating independently of each other, were set up in all the Occupation Zones.

Following the founding of the Federal Republic of Germany, the German *Bundestag*, the federal parliament - during the course of a pronounced federalization of the state structure - was only granted the power to enact framework legislation in the press sector. The laws regulating the press system, on the other hand, were left to the cultural sovereignty of the individual *Länder* (constituent states) enshrined in the *Grundgesetz* (Basic Law). The *Länder* energetically

resist any impairment of their rights - not always to the advantage of legal, economic and journalistic uniformity in media legislation. The differences in media policy concepts - depending on the particular *Bundesland* - are chiefly noticeable in the broadcasting sector.

In reports by the London-based International Press Institute, which watches over the impairment of press freedom in the world, the Federal Republic of Germany features as one of the few countries in which the state respects the strong position of **liberal mass communications**. The freedom of the mass media is guaranteed in Article 5 of the 1949 Basic Law. The restrictions, which are precisely set out in Article 5, serve the protection of youth against publications and films of a brutal or indecent nature, the personal rights and preservation of the individual citizen´s private sphere. Disputes must be settled by the courts.

The Federal Constitutional Court, the supreme judicial body in the Federal Republic of Germany, has repeatedly interpreted the functions and significance of mass communication in a democracy. In this connection, the press was naturally more often the centre of discussion than the broadcasting system initially which, because of its exclusively public law-structure, was less frequently engaged as a spokesman in the battle of opinions. True, in its comments, the Federal Constitutional Court laid down guiding principles in respect of the public-law organizational form and the prerequisites for the operation of radio and television on a private enterprise basis.

With regard to the press, the Federal Constitutional Court stated that the former is not only guaranteed the constitutional right of free expression of opinion but also "institutional independence ... from the collecting of information to the dissemination of news and opinion". This restricts all state legislation which might impair the freedom of the press in any way. However, this also prevents "regulatory" intervention when the independence of mass communication - particularly that of the press - is jeopardized through internal media develop-

ments, such as advancing concentration of the press. However, whenever there is imminent danger of the opinion market being monopolized - and, in particular, of newspapers, which have a limited circulation or are commercially unsound, disappearing completely - rules enshrined in economic law take effect, especially on the strength of the Cartel Law, which contains precise directives on ownership shares if publishing firms take a financial interest in competitive enterprises, or private broadcasting organizations in several companies. In addition, there is a statutory obligation to register mergers at the Federal Cartel Office and to seek their approval.

The characteristic difference in the organizational form of the press, on the one hand, and the broadcasting system, on the other, which had been in existence for more than three decades since the founding of the Federal Republic of Germany, came to an end in the mid-1980s, in other words with the advent of cable and satellite broadcasting and the extension of the terrestrial transmission network to new frequencies. The broadcasting system under public law, which was protected from free competition, has been replaced by a dual pattern and now includes private groups as the responsible bodies for radio and television companies.

Following the reunification of Germany on the basis of the treaty which came into force on 3 October 1990, there still remained the unfinished task of adapting the GDR´s totalitarian media system to the democratic structures of the Federal Republic of Germany. The national broadcasting system has now been replaced by broadcasting corporations under public law at *Land*, i.e. federal state, level. The monopolistic broadcasting system is being replaced by the dual system which allows radio and television companies operating on a private enterprise basis. The ownership of the press by the political parties and mass organizations was transferred to private publishing firms.

3. Press and broadcasting laws - a *Bundesländer* responsibility

The press order is regulated by the **press laws** of the individual *Länder* which coincide in respect of the main provisions - such as the imprint (naming the person responsible under criminal law for the contents), the right of counter-statement, the duty to take due care and the identification of publications paid for. The editor has the right to refuse to give evidence: he cannot be compelled to name his informants or sources.

One particularly moot point is the Penal Code provision for the "safeguarding of justified interests" - known as the preservation of "public" interests in mass communication - whenever state matters warranting protection are affected, such as in the case of treason. A further legally disputed point is the obligation - enshrined in the *Land* press laws - on the part of public authorities "to impart to representatives of the press information of service to them in the fulfilment of their public function". There are, however, regulations regarding secrecy, interference in a pending lawsuit etc which safeguard this right from abuse.

The legal position of the public broadcasting corporations is laid down in the ***Land* broadcasting laws** or in state agreements between several *Bundesländer*. Compared with the press laws, however, the regulation of their stucture, organization and finance is of far greater significance. First and foremost, the objective is to ensure that public influence is brought to bear through representatives of leading social groups and organizations on the broadcasting board. Consequently, in a judgement passed in the year 1961, the Federal Constitutional Court considered the public-law status of the broadcasting corporations as appropriate and dismissed an application for the admission of privately-owned broadcasting companies on the grounds that there was a lack of utilizable frequencies for broadcasting transmitters and that a much greater capital outlay was required to set up and operate a broadcasting station compared with the press.

In recent years, this protective zone around existing broadcasting corporations - which excluded private competition - has been largely removed. Technical development has resulted in a situation where a greater number of usable transmission frequencies have become available and where households are frequently better catered for by cable and satellite than by traditional transmitters. At the same time, the financial outlay for the production and broadcasting of radio and television programmes for limited geographic areas has diminished.

A ruling by the Federal Constitutional Court in 1986 confirmed the dual broadcasting system, assigned the reponsibility for basic provision to the broadcasting corporations under public law and gave them a guarantee of continued existence and development. On 1 December 1987, the state agreement on the reorganization of the broadcasting system signed by the western *Bundesländer* came into force. This agreement regulated the juxtaposition of state and private broadcasting.

Consequently, the *Bundesländer* parliaments have passed new broadcasting laws in recent years through which the varying balances of power among the political parties are reflected in the divergent media concepts.

The first *Land* broadcasting law to accommodate the wishes of private programme operators was approved by the Lower Saxony state parliament in May 1984. Basically, it allows anyone - except the political parties - to apply to the *Landesmedienanstalt* (State Media Office) for permission to transmit radio and television programmes. The main condition: it must be a comprehensive programme providing information, advice and entertainment. The programmes can be financed by the organizers own funds, fees, donations or advertising. A *Land* broadcasting committee, on which the major organizations from public life are represented, monitors the programme. The legislative procedure in the other *Bundesländer* has also been completed, albeit with considerable differences in some cases. The experiences gained following the admission of private broadcasting has already partially resulted in amendments to the broadcasting laws.

4. Europe exerts influence

Whereas the international sector was exclusively concerned for a long time with transmission frequencies and emission cones from satellites, in recent times the European Community (EC) and the Council of Europe have approved media directives for cross-border television programmes which partly clash with national rights. On the strength of a suit filed by *Land* Bavaria, the Federal Constitutional Court has to clarify whether EC rules do not restrict the cultural and media sovereignty of the German *Bundesländer* and is therefore unconstitutional. One particular point at issue are the regulations on the programmes produced in Europe ("quota regulation") and the amount of time allocated to advertising during transmission. The problem in this connection is the fact that the EC authorities base their assessment of broadcasting primarily on the economic aspects (economic value) whereas, according to German law, the public function of the media in the state and social system and their cultural factor take precedence.

II. Press

The German daily press market is traditionally dominated by regional and local subscription newspapers. It offers readers a reliable overview of the major events in the field of national and international politics, the economy, business, culture and sport. Its particular strong point, however, lies in its reports about happenings within its circulation area, usually concentrated around a large city. Since readers are closely tied to "their" newspaper through information from their immediate area, all newspapers devote special attention to the local section, intensified further by their competition with local radio programmes.

The newspapers thus cultivate the market for local business advertisements which, on average, account for more than 40% of the total turnover. Even the 31 separate editions of *Bild*, boasting the largest circulation in Germany as a street-

sales daily, and covering the whole of the Federal Republic, differ in their regional news reports and advertisements.

1. Subscription newspapers determine the market

In November 1992, there were almost **1,620 editions of daily newspapers** on the German newspaper market. The editions differ from each other in certain editorial sections, particularly in the case of local news. As such a splintered daily press of this nature would hardly be an economically viable proposition, it is not surprising that only **394 publishing firms** provide the financial and, as a general rule, the technical basis for a large number of editions. Altogether, however, they only maintain **143 fully-staffed editorial offices**.

Economically independent publishing firms either finance joint editorial offices or - what is more usual - one publishing house takes over from the other the *Mantel*, i.e. the first two pages or so containing the political news, and then adds its own regional and local interchangeable pages and parts of the advertisement section. It is for this reason that one speaks of **143 "publicistic units"** which provide a topical and universal news section for the newpapers which, for the most part, appear daily.

This concentration of political content - indispensable for the formation of opinion - on a few editorial offices was not always so. Almost four decades ago, the number of "publicistic units" was greater by more than a hundred. In the 1960s, a shrinking process of almost 50% took place in the western *Bundesländer* whilst the number of editions, despite the concentration processes, is hardly fewer than it was 40 years ago.

This process of concentration, for mainly economic reasons, has resulted in the emergence of publishing houses and publishing groups which, in some cases, en-

joy a monopoly in their circulation areas. Because of the demarcation of the circulation areas between the newspapers in Germany, one-third of all readers no longer have the opportunity to choose between several local newspapers. In 24 of the 80 major cities only one newspaper with local news is published. Even in those places where there might be greater competition between local or regional newspapers, the publishing firms involved are often financially intertwined.

Of the 143 "publicistic units," 55% have a circulation of more than 100,000 copies. The total daily circulation accounts for almost 90% of this group. These newspapers also enjoy the lion´s share of the advertisment turnover in the daily press. This came to almost Dm 8.4 billion for all daily newspapers in 1991 compared with total advertising expenditure of Dm 27.0 billion in the media. The daily press still continues to enjoy the largest advertising turnover and is well ahead of the electronic media.

Following the dissolution of the GDR, there was a flood of new publications in this part of Germany which were frequently financed by west German publishing firms. There were also special editions of west Gemans newspapers for the "new" *Bundesländer*. After the space of a good year, a still unfinished process of concentration is taking place. Mainly the national newspapers belonging to the political parties and mass organizations have fallen victim to this process.

Newspapers are heavily dependent on the cyclical trend because they earn two-thirds of their income from advertising whilst the remaining third comes from sales - chiefly subscriptions.

2. The national press

Apart from the tabloid *Bild*, only the *Frankfurter Allgemeine Zeitung, die Welt* and the *tageszeitung* are distributed nationwide. The *Süddeutsche Zeitung* and *Frankfurter Rundschau* publish a national edition. The quality or interregional

press has a circulation of less than 1 million copies at the present time. It is read, however, by the influential and opinion-leading sections of the population, politicians, public figures and the economy. Apart from the newspapers mentioned above, several regional dailies enjoy great prestige because of the high quality of their reporting and commentaries - even though their circulation is restricted to one particular region. These include, among others, the *Stuttgarter Zeitung*, the *Tagesspiegel* (Berlin), the *Kölner Stadt-Anzeiger*, the *Berliner Zeitung* and the *Hannoversche Allgemeine Zeitung*.

3. The kiosk-sales press is losing market shares

Apart from the traditional subscription newspapers (15 of them can trace their history back to the 18th century), which account for 75% of the total circulation of German dailies, a kiosk-sales press, skilfully organized from a journalistic angle, has established itself with ten different publications and currently enjoys 25% of sales. The best seller is *Bild* with a circulation of 4.4 million copies (2nd quarter 1992). Other major tabloids are the *Express*, sold mainly in the Düsseldorf-Cologne-Bonn area, the *BZ* and *Berliner Kurier* in Berlin, and the *Abendzeitung* in Munich. The total German daily-press circulation came to 26.8 million copies in July 1992. It has dropped by some 2.5 million copies in recent years. This loss has fallen mainly on the GDR party newspapers and kiosk publications. *Bild*, for instance, has lost a good quarter of its sales whilst *Super*, a newly established newspaper in the ex-GDR, had to withdraw from the market after only 15 months - with a loss of Dm 140 million. The subscription newspapers, on the other hand, have succeeded in increasing their circulation - if only marginally.

4. Further sectors of the press market

Apart from the daily newspapers with their universal range of information, a vast market has developed for **local weeklies, alternative newspapers, informative publications and advertisers.** These periodicals partially filled the gap which had occurred through the concentration processes in the German daily press. Those of economic interest are chiefly the more than 1,000 advertisers which are distributed free of charge and which realized an advertising turnover in the region of Dm 2.2 billion in 1991. Many of them are owned by publishing firms which also produce daily newspapers.

Whereas two **Sunday newspapers** - *Bild am Sonntag* (circulation 2.6 million) and *Welt am Sonntag* (420,000) (2nd quarter 1992) - published by the Axel Springer group dominated the market formerly, other daily newspaper publishers have also brought out special Sunday editions in recent years. These now include *Sonntag Aktuell* in Stuttgart, a special Sunday edition by several dailies (circulation 900,000) and the *HNA-Sonntagszeit* published in Kassel by the *Hessisch-Niedersächsische Allgemeine* (circulation 190,000 copies).

One group of newspapers, which are styled **weekly newspapers,** reach their readers mainly at the weekend. Their efforts are committed to an analytical examination of political, economic and intellectual life. In this context, the basis can be of a party-political nature - such as the Christian-Social *Bayernkurier* - or of an ideological nature - such as the *Rheinischer Merkur*. They are regarded as particularly important opinion-leaders, headed by the *Die Zeit*, considered to be liberal in view, and the *Deutsche Allgemeine Sonntagsblatt* which adopts an open-minded Protestant position. The left-liberal *Der Spiegel* has no counterpart (as yet). This "news magazine", published every Monday, has a circulation of 1.1 million copies (2nd quarter 1992). It is associated with sensational revelations like no other press product in the history of the Federal Republic of Germany.

5. Magazines

It was not the scandal of the fake "Hitler´s Diaries", published by *stern* in 1983, which first attracted public interest to a group of magazines which, because of their large circulation and publicistic response, tower over the almost numerically limitless German periodical market, boasting some 20,000 different publications: the **Popular Magazines,** which include some 600 titles and a circulation of more than 120 million copies for each publication period - with a revenue of Dm 3.0 billion also the second-largest advertising medium in the press sector. Among their number we find topical illustrated magazines such as *stern* or *Bunte,* publications providing radio and television programmes, as well as periodicals for women, men and young persons, hobbies, recreation and sport. The circulation of topical magazines has been steadily declining in recent years. Here, competition from television is having a particularly disadvantageous effect on sales and advertisement receipts. Because of the steadily increasing number of television channels, the market for radio and television magazines - boasting 17 different publications and a total sales circulation of almost 22 million copies - remains expansionary. The Heinrich Bauer Publishing Company has a market share of more than 45% in this magazine sector.

At a figure of 3,000 titles, the numerically large number of **specialist journals** - but with limited circulation for the most part - also includes scientific periodicals. Some of them have been brought out by time-honoured publishing firms for decades and enjoy great international prestige.

To these must be added the publications by organizations and associations with a wide circulation: as far as the number of titles is concerned, about a third of all German magazines are tied to an association or concentrated on the representation of an association´s interests. Among these is the magazine with the largest circulation in the whole of the Federal Republic of Germany: the *ADAC Motorwelt,* published by the *Allgemeine Deutsche Automobil-Club* with a circulation of 10.9 million copies (1992).

6. Electronics is revolutionizing the press

In the last few years, there has been a radical change in newspaper and magazine production which can be quite happily described as a revolution. Ever since the first text-processing machines were installed in German editorial offices in 1979, the use of **electronic data processing** for text editing, typesetting and make-up, plus the adoption of new printing techniques, have completely changed the work in editorial offices and printing-presses.

The fact that commercial competition has compelled the adoption of more rationalized and cost-effective production has also not spared journalists and is putting their professional image to the test: the more the editor can influence the technical production of a newspaper, the sooner the jobs in the publishing firm´s technical sector will become redundant. Similarly, the communication of information by electronic means, such as by news agencies, for example, permits a reduction of jobs in editorial offices.

7. Publicistic influence through economic clout

Axel Springer, from Hamburg, was undoubtedly the best known of all German newspaper publishers - and not just because his firm published *Bild*. For many an intellectual, he personfied the negative image of a "press baron" who, with publishing instinct and skilful use of capital, succeeded in capturing a leading position both in the daily and Sunday press markets as well as the popular magazine sector. The Springer Group newspapers account for almost 30% of the German daily press circulation. Until a few years ago, this publishing house enjoyed a monopoly on the Sunday newspaper market: in the radio and television magazine sector, its publications account for almost one-third of the total circulation. Whilst Axel Springer was still alive, the publishing firm was converted into a joint-stock company which, through the purchase of shares by other media entrepreneurs, has triggered controversy about majority voting-rights.

Mid-1989, the Italian media-enterprise Monti and the Axel Springer Publishing House invested 10% of their share capital in each other´s firms. But there is already talk once more of a split. Following fierce disputes, Leo Kirch, the highly influential dealer in feature films and television programmes, and with shares in private television companies, has been able to dispatch a representative to the Springer supervisory board since he controls 25% plus one share of the joint-stock capital.

Following Axel Springer´s death (1985), the group remained primarily committed to the daily press sector. It participated in newspaper publishing firms mainly located in north Germany, Berlin and the new *Bundesländer* but only with minority holdings, as a rule, to avoid objections being raised by the Federal Cartel Office.

The group is expansionary in the commercial radio and television sector and is spreading increasingly into the European media market, particularly in Spain and Austria. It was the first German publishing house to involve itself in a joint enterprise in Hungary.

Although further **newspaper publishing groups** have been created, such as the one centred on the *Westdeutsche Allgemeine* in Essen (with a 6% share of the market, the second-largest daily newspaper group), the *Süddeutsche Zeitung*, Munich, the *Stuttgarter Zeitung*, the *Kölner Stadt-Anzeiger* and the *Frankfurter Allgemeine Zeitung*, their influence on the daily-press market is nowhere near that of the *Axel Springer AG*.

There has also been a development in the family-magazine press which has now resulted in two-thirds of this type of magazine being concentrated in four publishing houses or groups. They are: *Axel Springer Verlag AG, Heinrich Bauer Verlag, Burda Verlag* and *Gruner + Jahr*. The latter, in turn, has a majority holding in the Bertelsmann Group.

8. A media group of world status: Bertelsmann AG

The *Bertelsmann-Konzern* (Bertelsmann Group) has developed from a small book publishing firm into a media group with the largest turnover in Europe. The latter amounted to Dm 14.5 billion in the 1990/91 business year, almost two-thirds of which was earned abroad. By heavily committing itself to the American media market, it is involved there in book publishing firms, book clubs, printing firms and - through the Bertelsmann Music Group which absorbed, among others, the prestigious RCA record publishing company - the music market. A quasi industrial utilization of intellectual and artistic ideas. Backed by a book and record club with millions of members, apart from the daily press market, the group is also active in the magazine, publishing, printing, paper manufacture, music publishing, films, radio and television sectors. The group prepared itself with considerable financial means for private television. It holds 38.9% of the capital in RTL plus, the most successful of the commercial television companies, for example.

III. News agencies and public relations work

If one talks to German journalists about the acquisition of information, they do not generally complain about the lack of possibilities of obtaining information: on the contrary, they bemoan the "avalanche of information". State institutions, political parties, associations and interest groups with varying aims surge into public, distribute communications and informative reports, extend invitations to press conferences and journalist discussions. First and foremost, however, the news agencies ensure that there is a never-ending stream of information.

1. News as a commodity: the news agencies

A total of six news agencies offer an all-round service in the provision of German domestic news: *Deutsche Presseagentur (dpa), Allgemeiner Deutscher Nachrich--tendienst (ADN), Deutscher Depeschendienst (ddp), Associated Press (AP), Reuter (rtr) and Agence France Presse (AFP). Inter Press Service, (IPS),* the Third World agency, also has a German-language service which uses the *ddp* network to distribute information. The market leader in this tough competitive field is the *Deutsche Presse-Agentur.* It has the legal status of a limited liability company, i.e. *GmbH,* the shares for which are held by German press publishers and broadcasting corporations. In order to prevent individual shareholders exerting too strong an influence by bringing commercial pressure to bear, press publishing houses may not hold more than 1.5% of the registered capital and the broadcasting corporations no more than a total of 15% overall. *dpa´s* basic service supplies almost all German newspapers with news. Apart from a large number of subscribers outside the media, the agency has more than 500 media enterprises as customers at home and more than 750 abroad, including 60 news agencies. The distance between *dpa* and the two German competitors, *ADN* and *ddp,* is correspondingly considerable. *ADN* was the state-controlled news agency in the ex-GDR and has been privatized. The partners´ shares were taken over by the *ddp* majority shareholder, likewise a private-law company.

AP, Reuter and *AFP* are backed by the worldwide network of their parent companies for their German-language service, which they supplement with German domestic news. Because of the battle for new customers, there is fierce competition in the prices charged by the agency services. Two-thirds of all newspaper publishers subscribe to at least two agencies, in some cases to all of those mentioned above. This is financially justifiable since, as a general rule, the daily newspapers´ expenditure on agency services does not amount to even 1% of overall production costs.

Related to the total circulation of the German daily press, the market shares enjoyed by the news agencies were as follows in February 1992: *dpa* 100%, *AP* 74%, *rtr* 63%, *AFP* 44%, *ADN* 43%, *ddp* 30%.

2. Special agencies and press services

Be that as it may, the agencies, with their theoretically limitless range of topics, provide only part of the news being constantly supplied to the media. There are, for example, several other agencies of a specialized nature. They include the *Katholische Nachrichtenagentur (KNA)* - which is owned by church institutions, the Catholic press and private persons - and the *Evangelische Pressedienst (epd)* borne by the Protestant *Land* churches. They have now been joined by *idea*, the Protestant Alliance information service. These agencies not only supply the denominational press but also the editorial offices of the daily press and the broadcasting corporations. The *epd*, for example, has 80 subscribers in the media sector, the *KNA* as many as 280. If we take the *Vereinigte Wirtschaftsdienste (vwd)* as an example, it emerges that current information is not only of importance for the media: among the 7,000 clients of this agency, which specializes in economic news, the editorial offices in the press and broadcasting sector account for less than 10%. The remaining subscribers are to be found among industrial and commercial associations, organizations and enterprises. The *vwd* company capital has been provided in equal parts by the *Deutsche Presse-Agentur*, 10 leading industrial organizations and a consortium of press publishers.

Press and information services, correspondencies and photo agencies - in some cases independent, but frequently supported by parties, associations and organizations from the political, economic, church and cultural sectors (their number is put as 1,000) - can help media to fill up the last column or the last minute of a broadcast. There is not one topic dealt with by the media for which these services are not able to provide special and background information (not always free from opinion) or ready-for-press material.

With the increasing number of television programmes, one expansionary market is the provision of television news with picture material or films. The main suppliers are television companies from 32 different countries which have joined together in the European Broadcasting Union (EBU), organized via a Eurovision programme exchange. Private news-film agencies also offer their material to Eurovision; in fact they enjoy the biggest share. Whereas EBU news is generally only made available to its members, private agencies, such as the Bonn-based *Deutsche Fernseh-Agentur (DFA)*, which is owned by several newspaper publishers, also provide radio and television companies with ready-to-transmit material. The *Deutsche Presse-Agentur* also provides sound broadcasting with contributions.

3. State public relations work

Information and the formulation of political demands and objectives are inseparable in a democratic social order. This has been clearly confirmed in a decision concerning state public relations work by the Federal Constitutional Court. The latter also stated: "A responsible share on the part of the citizens in the formulation of political demands and objectives by the public presumes that individuals are well-informed enough about the issues to be decided on, about the decisions taken by the constituted state bodies, measures and suggested solutions, to be able to assess, approve or reject them." The German Federal Government, however, usually requires the services of the media to convey information to the public.

4. The Press and Information Office of the Federal Government

If a journalist is working as a correspondent in Bonn, the seat of government, for a German or foreign newspaper or broadcasting corporation, he generally belongs to the group of persons to whom the government spokesman - supported by spokesmen from the ministries - makes statements and answers questions at the

Federal Press Conference three times a week. The Federal Press Conference is an association in Bonn to which some 630 German correspondents belong. About 50 German newspapers have their own offices in Bonn. The broadcasting corporations have their own studios equipped with the technical facilities to transmit radio or television reports to the editorial offices of the various institutions or direct into the programmes. Radio or television reports on sessions in the German *Bundestag* are possible at any time.

Foreign media have dispatched about 450 correspondents to Bonn. They are all members of the **Association of the Foreign Press in the Federal Republic of Germany** and also enjoy the right to ask questions at the Federal Press Conference. The foreign correspondents work for some 45 news agencies, 270 newspapers and magazines. 80 or so work for radio and television companies.

The government spokesman informs the journalists about cabinet meetings, comments on current political events and answers correspondents´ questions. The press conferences are supplemented by discussions in a smaller circle, by making informative material available, providing contacts and arranging interviews with politicians. The **Federal Government Spokesman** is also head of a governmental department, the **Press and Information Office of the Federal Government**. This department has a staff of some 730 persons and an annual budget of Dm 296 million (1992). Its functions are two-fold: it informs the German Federal Government about everything worth knowing on the world news market and undertakes public relations work for the Federal Government at home and abroad. In order to fulfil the first function, the news department evaluates the services of 24 news agencies, more than 100 radio programmes and 25 television programmes in German and 22 foreign languages. In addition, the leading German and foreign periodicals are read. All this activity is not aimed at collecting new facts in international politics but the observation of the German image in foreign media.

The promotion of Germany´s reputation abroad is the responsibility of the Foreign Section which had budget of Dm 107 million in 1992. The informing and pastoral care of foreign correspondents in the Federal Republic of Germany enjoy top priority. After all, these journalists exert great influence on the formation of opinion about Germany in their own countries. This public relations work is coordinated with the Foreign Office and the work performed by Inter Nationes, an institution which is active in the fields of foreign cultural policy and political public relations, as well as with German foreign missions. This embraces the publication of printed matter in more than 30 languages in some cases, the production and distribution of periodicals, film and television contributions. Some 2,000 foreign journalists, and other persons who are important for the formation of opinion, are invited to Germany every year to form their own picture of political, economic and cultural life.

IV. Radio and Television

1. Public broadcasting - chiefly a *Länder* matter

Foreigners are always suprised at the number of radio programmes available in the Federal Republic of Germany. The public broadcasting corporations alone transmit 50 different programmes which, however, cannot be received in all parts of the Federal Republic of Germany. This diversity results from the federal structure and the competence of the *Bundesländer* in broadcasting matters. Consequently, there are 11 broadcasting corporations under public law: 8 on the statutory basis of *Land* broadcasting laws and 3 whose legal status stems from state agreements. Such state agreements have been concluded by the *Bundesländer* Lower Saxony, Schleswig-Holstein, Hamburg and Mecklenburg-West Pomerania on *Norddeutscher Rundfunk* (North German Broadcasting Corporation), Rhineland-Palatinate and Baden-Württemberg on *Südwestfunk* (Southwest

Broadcasting Corporation), and the Free State of Saxony, *Bundesländer* Saxony-Anhalt and Thuringia on *Mitteldeutscher Rundfunk* (Central German Radio). The Berlin-based *Sender Freies Berlin* has concluded a cooperation agreement with the neighbouring *Ostdeutscher Rundfunk Brandenburg/ORB* (East German Broadcasting Corporation, Brandenburg).

It was already laid down in the Unification Treaty of 23 September 1990 that radio and television in the ex-GDR should cease transmission on 31 December 1991. On 31 August 1991, all the *Bundesländer* signed the State Treaty on Broadcasting in Germany. The dual broadcasting pattern for the whole of Germany is laid down in this agreement as are the starting capital for the new broadcasting corporations in eastern Germany and a reduction in radio and television fees in this area to the year 1995. The *ARD* (Channel 1) and *ZDF* (Channel 2) had already taken over a transmission chain for their television programmes beforehand. A further network is available for the newly-founded *Land* corporations.

Most of the programmes transmitted during GDR times have been discontinued. Some of them, however, are being continued by the new corporations under public law and private broadcasting companies.

2. Broadcasting corporations with national functions

Additional problems arose from the broadcasting corporations which owed their existence to the media situation in a divided Germany: *Deutschlandfunk (DLF)* and *RIAS* (Radio in the American Sector) on the western side, and the *Deutschlandsender* on the eastern side. The decision was taken to charge *Deutschlandfunk, Deutschlandsender Kultur* and *RIAS* with the transmission of radio programmes - with no commercials and financed from licence fees - for the whole of Germany, with the emphasis on information and culture. These corporations have been transferred from Federal Government jurisdiction to that

of the *Länder*. *ARD* and *ZDF* are setting up a joint facility for these nationwide radio programmes. *RIAS* television has been affiliated to *Deutsche Welle*. The latter is now solely responsible in this sector for the conveyance of the German image throughout the world - ever since *Radio Berlin International*, the GDR´s foreign service, was closed down on 2 October 1990.

In order to fulfil functions touching the interests of the Federal Republic as a whole, the ***Deutsche Welle*** broadcasting corporation was set up in Cologne in 1960. In contrast to the *Land* broadcasting corporations, central authority exerts greater influence on this corporation´s work. Of the eleven members of the *Rundfunkrat* (Broadcasting Board), two are appointed by the *Bundestag* and the *Bundesrat*. Four are appointed by the Federal Government.

The operating costs of Deutsche Welle are paid entirely by the Federal Government. In 1992, this broadcasting corporation - which transmits 93 sound short-wave programmes in German and 34 other languages daily - received Dm 402 million from the federal purse. The chief target regions are headed by Africa, followed by Southeast Europe, the Near and Middle East and Latin America. The number of programmes for North America is fewer. This difference of emphasis results from the image of *Deutsche Welle* which attempts to make good the deficits in those parts of the world where freedom of the press is suppressed or restricted by censorship, in other words, where people are denied access to sources of information in their own country.

Since 1 May 1992, *Deutsche Welle* has been broadcasting a 14-hour worldwide television service of topical interest via satellite in German, English and Spanish. In several countries, the national broadcasting corporations include parts of *Deutsche Welle* transmissions in their own programmes.

3. Broadcasting guests on German soil

In addition, the American, British and Canadian forces in Germany operate their own radio stations - principally for their soldiers and dependents. In the Saarland, the commercial broadcasting station *Europa 1* transmits programmes for listeners in Western Europe. There are also two **private American broadcasting corporations** in Munich - Radio Free Europe and Radio Liberty - whose programmes are broadcast to the population of East European countries as well German listeners.

4. Under one roof - the ARD

The *Land* broadcasting corporations, *Deutschlandfunk, Deutsche Welle* and *RIAS* have joined together in an association - *Arbeitsgemeischaft öffentlich-rechtlicher Rundfunkanstalten der Bundesrepublik Deutschland/ARD* (Coordinating Association of Broadcasting Corporations Governed Under Public Law in the Federal Republic of Germany/ARD) to safeguard broadcasting interests, establish internal financial adjustment, facilitate the exchange of programmes, transmit a joint programme in the television sector and purchase feature films and series for all the corporations. A programme conference coordinates the *ARD* joint programme, i.e. First German Television (Channel 1).

5. The largest German television corporation - ZDF

Thoughts were already given in the 1950s to the setting up of a television company to provide a contrast television programme to the *ARD* which was criticized on the grounds that it was "monopoly television" and politically one-sided. Initiatives for the founding of a *Deutschland-Fernsehen GmbH* came from the

then Federal Government under Konrad Adenauer as well as from industrial associations which were thinking more in terms of a programme on commercial lines. In 1961, the Federal Constitutional Court forbade the planned transmission of a government-controlled television programme on the grounds that it was unconstitutional. Now the prime ministers of the *Bundesländer* declared their willingness to organize a second programme. On June 6 1961, they founded the *Zweites Deutsches Fernsehen* (Second German Television, i.e. Channel 2) as a company under public law with its head office in Mainz. Unlike the federalist pattern of the *Land* broadcasting corporations, the *ZDF* is centrally organized. As well as representatives of the *Bundesländer* and political parties at federal level, Federal Government representatives also sit on the broadcasting board. As in the case of the *ARD* corporations, there are also representatives of the major organizations from public life on the board.

The *ZDF* transmits the same programme for the whole of the Federal Republic and has a budget of almost Dm 2.3 billion at its disposal (1992). Television licence fees account for almost 60% of this sum.

6. Supervision and control by the general public

The public law status was deliberately chosen for broadcasting to safeguard its independence against the state and also to ensure that the general public was represented on its broadcasting boards. Supervision and management are in the hands of three bodies:

1. The ***Rundfunkrat*** (Broadcasting Board). The members have to represent the interests of the general public. They are either elected by the *Land* parliaments or directly by the political parties, the denominations and organizations from industry, commerce and cultural life.

2. The ***Verwaltungsrat*** (Board of Administration). Its members are elected by the Broadcasting Council. It monitors the observance of programme directives, establishes the draft budget and supervizes the conduct of business. It also appoints the *Intendant* (director-general) who has to be confirmed in office by the Broadcasting Board.

3. The ***Intendant*** (Director-General). He manages the broadcasting corporation in line with the decisions made by the Broadcasting and Administrative Boards and is responsible for the programme.

As the composition of the broadcasting board, which is mainly responsible for making decisions and which makes the direct or indirect influence of the political parties and political groupings felt within a *Bundesland*, a broadcasting corporation is often referred to as "red" or "black", depending on whether it is located in a *Bundesland* with a Social Democrat or Christian Democrat majority.

7. Financing through licence fees and advertising

Radio and television fees, the level of which is laid down by the prime ministers of the *Länder*, play an important role in the broadcasting corporations' finances. Since 1 January 1992, the basic (radio) licence costs Dm 8.25 and the television fee Dm 15.55. This means that the individual or household, which has registered both a radio and a television, has to pay a monthly broadcasting fee of Dm 23.80. 2% of the broadcasting fee goes to the *Länder* to pay for general expenses of private broadcasting (technical infrastructure, open channels). A further Dm 1 is earmarked for initial financing of broadcasting in the new *Bundesländer* (ex-GDR), Dm 0.75 for the national radio programmes and Dm 0.75 to finance the Franco-German TV Channel *ARTE*. The German Federal Post demands additional fees for the installation and use of a cable connection.

The broadcasting corporations in the *ARD* receive 70% of the television fees, the *ZDF* 30%. In all, the *ARD* broadcasting corporations received Dm 4.5 billion from viewers' fees in 1992. In addition, television fees amounting to an estimated Dm 1.4 billion went to the *ZDF*. Each broadcasting corporation handles its advertising independently. In 1991, the *ARD* achieved a return in the region of Dm 1.4 billion (before tax). The *ZDF* earned some Dm 719 million by selling transmission time for commercials in 1991.

The fees are collected centrally and then distributed among the corporations according to the number of listeners or viewers in their transmitting area. The allocations vary between 25.6% *(Westdeutscher Rundfunk)* and 1.2% *(Radio Bremen)*. A financial adjustment takes place internally, however, so that small transmission areas are in a position to offer a competitive programme. The German Post Office receives a fixed percentage for technical services. It allocates broadcasting frequencies and manages part of the transmission network.

8. Many suppliers, one programme

The *Land* corporations in the *ARD* supply the joint television programme with self-produced contributions according to a fixed scale. In addition, there are joint contributions, such as the centrally purchased feature films and series, the Eurovision contributions and transmissions which one station produces on behalf of all the others. The most important of these are the two newscasts - *Tagesschau* and *Tagesthemen* produced by the editorial team at *Norddeutscher Rundfunk (NDR)*, Hamburg.

ARD viewing time has been considerably extended of late because some of the commercial TV companies transmit round the clock. The *ARD* and *ZDF* transmit a joint morning programme. Between 5.30 and 8 p.m. the *ARD* corporations broadcast their own regional programmes spliced with commercials of maximum

20 minutes duration. No commercials are shown in the evening programme or on Sundays. In addition to Channel 1 *(ARD)*, the individual broadcasting corporations transmit a total of seven individual or joint Third Programmes. Very roughly speaking, the programme structure offers the following average picture: informative programmes account for just under 50%, family, music and entertainment the other 50%. As a result of the more heavily entertainment-oriented programme structure of the commercial television companies, which attract a larger number of viewers and thus a more attractive proposition for advertising clients, there is now a noticeable trend towards more entertainment in the programmes transmitted by the public corporations, particularly in the way of series, and programmes offering a mixture of entertainment and information, known as *"Infotainment"*, for short.

Both the *ARD* and *ZDF* broadcast additional programmes with a cultural bias. The *ARD* has been telecasting *1-Plus* since March 1986, the *ZDF 3-Sat* - in cooperation with the Swiss Radio and Television Company and the Austrian Broadcasting Corporation - since December 1984. Negotiations on a joint Franco-German programme with a cultural bias to be transmitted by satellite and cable in both countries and with its head office in Strasbourg, were centred for a long time on the question of finance. A German cost contribution in the region of Dm 120 million has now been agreed and will be financed by a Dm 0.75 share of each television licence fee. The programmes are to be provided on a 50-50 basis: by the *La sept* company on the French side, and the *ARD* and ZDF (25% each) on the German.

9. Sound broadcasting - variety on VHF

Despite television, which is generally regarded as more attractive, sound broadcasting has striven to adapt its programmes to changed listening habits and to

exploit its media-specific advantages, especially since a dense network of **Very High Frequency** transmitters make programmes for target groups or limited regions possible. 7 of the 11 broadcasting corporations offer 4 programmes - of a very differing structure - in their particular transmission areas. If one compares the *Westdeutscher Rundfunk* programmes, the First Programme has 58% light music, 36% talks, 6% serious music, the Third Programme is dominated by serious music (70%) and the Fourth Programme by light music (90%).

Most of the 180 or so private radio stations in the *Bundesländer* have a regional or local bias. A more marked orientation towards listeners' specific preferences and individual parts of the transmission area are also perceptible in the television programmes. One refers to "regional windows" which are more focused on events taking place in the more immediate vicinity of listeners.

V. New communication paths and media

As in all other countries of the Western World, two communication techniques are signifiyng a radical alteration of the media landscape and a new mass communication age: the communication and broadcasting satellites and cabling in wideband-channel networks.

1. New systems call for large investments

Through the expansion of the cable network for wideband communication, which has been intensified - particularly in conurbations - at investment costs of more than Dm 2 billion annually since late 1982, the German Federal Post has provided parallel opportunities for public and private radio and television programmes. Late 1992, more than two-thirds of the 26.9 million homes in the western *Bundesländer* had been cabled up, i.e. about 11 million (40.7%). The de-

gree of service varies greatly regionally: in the *Länder* in the ex-GDR, only 8% of the homes are linked to the cable network. The consequence of this strategy is a considerably increased choice of radio and television programmes for the cabled households.

The German Federal Post has also made substantial financial efforts with regard to communication and broadcasting satellites. This process has developed from the communication satellites (ECS, Intelsat, Kopernikus) for comprehensive distribution, including the supply of television programmes for local cable networks, to broadcasting satellites whose directly transmitted programmes can be received by private households with a dish antenna (some 3 million mid-1992). In the provision of satellite channels for the transmission of radio and television programmes, the German Federal Post's *Telekom* is facing stiff competition from private satellite operators who offer private and public broadcasting companies favourable conditions.

True, the *ARD* corporations did what they could to occupy as many additional frequencies as possible to slow down competition from the commercial radio and television companies.

Mid-1992, a total of 11 television programmes were transmitted nationwide via satellite. In addition, the Post also feeds a similar number of further programmes into the cable network - although this varies locally. In 1992 in Bonn, for instance, one can obtain 27 different programmes via cable. Apart from the 10 programmes offered by the public broadcasting corporations, there are 6 private German and 10 private foreign programmes, plus a subscription programme (Pay TV) - not forgetting the 35 radio programmes.

2. The competition for markets with unequal means

The development of a commercial sector in broadcasting was fiercely disputed in the federal and state parliaments for a long time. The resistance by the broadcasting corporations under public law to private competition is still quite considerable. The controversies occupied the courts until the **"dual broadcasting pattern"**, with a regulated juxtaposition of public and private broadcasting striven for by most of the Bundesländer and the Federal Government, was officially confirmed by the Federal Constitutional Court: the Court assigned public broadcasting the task of "basic provision". A relationship of uncontrolled competition via the media is to exist between public and private broadcasting.

With the coming into force of the Broadcasting Agreement on 3 April 1987, the *Bundesländer* drew the consequences from the admissibility of "dual broadcasting" which had been confirmed by the supreme judges in Germany. Even so, the Federal Government views the state treaty - which only came into being after years of negotiations - as a laboriously-achieved compromise between the various Bundesländer with their highly differing points of departure but still not the optimum broadcasting pattern for the whole of the Federal Republic of Germany. Nevertheless, standardizing framework conditions were achieved which allow the German media landscape to continue to develop.

Despite the legal and political safeguards for commercial television, the assured existence of the entrepreneurs remains problematic for the forseeable future. Whereas the broadcasting corporations under public law will continue to finance themselves - as explained above - by means of broadcasting licence fees, the private companies must finance themselves entirely by selling viewing-time for commercials. The *ARD* and *ZDF*, however, are experiencing noticeable competition from the two commercial stations *RTL plus and SAT 1*, both of which transmit nationwide-programmes. Their combined revenue of Dm 1.8 billion in 1991 was Dm 330 million more than the *ARD* and *ZDF*. In the first six months

of 1992, the private TV companies experienced a growth of some 70% in advertisement income, mostly to the detriment of the public corporations.

3. Press publishing firms are penetrating commercial broadcasting

Not all private broadcasting companies are enjoying great commercial success. Even so, there is an exceptionally strong interest in forming commercial radio and television companies. Press publishers, in particular, headed by the financially powerful combines and publishing groups, are striving to obtain participatory shares, arguing that radio and television are considerably reducing the press publishers' returns from advertising. Although the *Bundesländer* state treaty of April 1987 restricts advertising in privately transmitted programmes to no more than 20% of daily viewing time, the latter also broadcast commercials after 8 p.m. and on Sundays.

SAT 1, based on Mainz, has been transmitting longest (1 January 1985) and offers a good example of the composition of a private broadcasting group:

43% *PKS* (*Programmgesellschaft für Kabel- und Satellitenrundfunk;* the shareholder is media entrepreneur Leo Kirch)

20% *APF* (*Aktuell-Presse-Fernsehen*, a merger of 165 newspaper publishers)

20% *Axel Springer Verlag AG* (this company also has a 35.1% share in *APF*)

15% *AV Euromedia* (subsidiary of the Holtzbrinck group , a media combine).

The remaining company capital (2%) consists of widespread holdings.

Leo Kirch, the film dealer, who also holds 26% of the *Axel Springer AG* shares, exerts considerable influence on *SAT 1*. His library is said to contain 20,000 feature films and a further 50, 000 hours of TV productions. His son holds 48% of the capital shares in a company entitled *Pro 7* which transmits a nationwide television programme. *Pro 7*, . in turn, has a 45% share in a TV company called *Kabelkanal* whilst Leo Kirch owns 25% of the shares in *Premiere*, a TV pay-channel.

The financially strong groups are at least doing business in the nationwide transmissions and supporting programmes for larger regional areas, despite the rule that participation in several companies must not exceed 25% of the capital or programme. The holdings by the media groups - via subsidiaries in some cases - in the various commercial TV companies are so obscure that the *Land* media offices, as the supervisory bodies, have started a thorough investigation.

In the local area, it is often the local publishing firms which are endeavouring to acquire shares. As far back as 1988, a study revealed that 71 out of 91 private programmes being transmitted at the time were partly financed by press enterprises. They usually produce parts of programmes which are then included as local or regional "windows" in state or nationwide programmes.

4. The market is on the move

The market shares in the broadcasting sector are shifting slowly but surely in favour of the private programme companies. According to studies undertaken in September 1992 - based on the viewing figures - *ZDF* has a market share of 20.5% (1989: 32.5), the *ARD* 20.4% (1989: 33.0), *RTL plus* 18.1% (1989: 10.7), *SAT 1* 14.0% (1989: 8.7), and all the *ARD* Third Programmes together: 7.9% (1989: 9.8). What is of greater significance are the number of households with a cable connection and/or satellite antenna since a large number of households are still not able to receive commercial TV programmes. In respect of households with cable or sat-

ellite reception, the market shares in September 1992 were as follows: *ZDF* 15.5%, *ARD* 15.6%, *RTL plus* 19.2%, *SAT* 1 15.0%. With increasingly improved availability of cable and satellite, and the exploitation of terrestrial transmitting frequencies, competitive pressure by the private companies on the public broadcasting corporations will continue to grow. The competition for viewers is taking place chiefly in the programme areas of feature film, series, shows with audience involvement and sports reports. The range of films has also increased in recent years in public broadcasting programmes. Here use is not only made of the large libraries of film and film exploitation companies: the rights to show films still in the making are obtained by sharing in the production costs.

In the sports sector the public and private TV companies are quarrelling chiefly about the broadcasting rights for football matches and tennis tournaments. *UFA*, one of the Bertelsmann Group, for instance, paid Dm 60 million for the European broad- casting rights for the Wimbledon Tennis Tournament for the next 5 years and then passed on the rights for Germany to *RTL plus*. For the broadcasting rights for the European Football Championships for 1992 and 1996, the public corporations had the better cards: the *ARD* and *ZDF* will be able to obtain the desired reports via the European Broadcasting Union (EBU), which purchased the rights for 55 million Swiss francs.

Since there is a similar competitive battle going on between commercial and publicly-owned broadcasting corporations in most European countries, the major TV enterprises from 5 European countries, including *SAT 1* from the Federal Republic of Germany, have joined together in the Association of Commercial Television in Europe (ACT), with its head office in Brussels. They are not only intent on representing media interests on the European internal market: they are also endeavouring to achieve cooperation in the purchasing of broadcasting rights. In this way, a counterbalance to the public broadcasting corporations in EBU is to be created.

To date, the interest shown by foreign media enterprises in involving themselves financially in German commercial broadcasting companies has been relatively slight. In the case of TV companies producing national programmes, the Italian media entrepreneur Berlusconi, Time Warner International from the USA and *Compagnie Luxembourgeoise de Télédiffusion* are participating; several British and French companies likewise. The American media group Capital Cities/ABC has pulled out of the German market.

5. An attempt at cooperation in the dual system

The Broadcasting Laws of *Bundesland* Northrhine-Westphalia of 19 January 1987 contain interesting deviations from the usual statutory provisions for the media. It differentiates between *Veranstaltergemeinschaften* (organizer associations) and *Betriebsgesellschaften* (operating companies). Apart from representatives of other organizations (industrial and commercial associations, trade unions, the Churches, local associations) as well as press publishers who process the newspapers in the transmission areas concerned may belong to these *Veranstaltergemeinschaften* - which are not orientated towards commercial activities.

The *Betriebsgesellschaften* are responsible for the production and financing of the programme, including the acquistion of advertising. Publishers may hold 75% of the capital and majority voting rights in a *Betriebsgesellschaft*. Every *Betriebsgesellschaft* is allocated to a *Veranstaltergemeinschaft:* both are jointly issued with a licence for commercial radio. In this way, 46 local radio stations have sprung up in *Land* Northrhine-Westphalia.

A further regulation deviating from most of the other *Land* broadcasting laws offers public broadcasting corporations the opportunity to take over up to one-third of the capital and voting right shares in a *Veranstaltergemeinschaft* which organizes statewide (i.e. not local) programmes. In other words, competition is to

be replaced by cooperation. In exploiting this opportunity, *Westdeutscher Rundfunk* now hold 30% of the shares in *"NRW"*, a commercially organized company, and a publishers´ consortium 70%. On 5 February 1991, the Federal Constitutional Court ruled that cooperation of this nature is admissible in the dual system.

6. Not all technologies are successful

In the narrower sense, *Videotext* and *Bildschirmtext (Btx)* were new technologies. The *Videotext* technology, introduced by the television corporations, was generally accepted by viewers. Its use involves no extra cost since almost all new television sets are equipped with the necessary reception devices. This service by the television corporations includes the latest news, programme information and services.

Communication in the *Btx* system, which functions via the telephone network of the German Federal Post´s *Telekom* and the television set, has made little headway. The advantage of the *Btx* is the two-way communication. One can seek details, place orders and retrieve information. Mid-1992, there were about 320,000 subscribers linked up to this system, about half of whom were private persons.

Audiotext, an information service system which can be retrieved via the telephone, was launched as a field experiment in autumn 1991.

VI. The profession of journalist

Journalism is a free profession: there is no fixed job description and there are no prescribed training paths. Many journalists still speak of a "natural-talent job". Practice offers a different picture, however. Most journalists are white-collar

workers (salaried employees). Without special knowledge, someone embarking on this profession is hardly likely to make the grade.

1. Journalist training

The oldest and most frequented path to journalism, particularly in the press, is via a ***Volontariat*** , on-the-job training in an editorial office. "Basic principles for editorial-office training on German newspapers" ensure a comparable training standard. Of the 2,200 *Volontäre* (journalist trainees) undergoing training in 1991, some 1,400 of them were with daily newspapers, 500 with magazines, about 40 with news agencies and 220 at radio stations. In the daily press sector, about 60% of those embarking on a career are university graduates. The training lasts two years. It can be shortened for applicants with a university degree or those who have completed vocational training. Even so, nearly all future journalists have to undergo a "talent test". As a general rule, they spend four to six weeks of their apprenticeship at off-the-job training institutions, such as the *Deutsches Institut für Publizistik*, Hamburg, or at the *Akademie der Bayerischen Presse*, Munich.

Eight institutions providing journalist training style themselves "schools". The *Deutsche Journalistenschule* in Munich trains about 45 applicants annually, 30 of whom complete a course of study at the University of Munich. About the same number of would-be journalists attend the journalist school belonging to the *Axel Springer Verlag*, Berlin. The *Henri-Nannen-Schule* , Hamburg, financed jointly by in the *Verlag Gruner + Jahr* and the weekly newspaper *Die Zeit*, accepts 20 applicants a year. The *Georg von Holtzbrinck-Schule für Wirtschaftsjournalismus* (business journalism) in Düsseldorf, and the *Burda-Journalistenschule* in Munich are likewise financed by press groups. The *Institut zur Förderung des publizistischen Nachwuchses* (promotion of young journalists) is also in Munich. The *Institut für Publizistik* is in Cologne.

Ten German universities - Bamberg, the Free University of Berlin, the Universities of Bochum, Erlangen/Nuremberg, Göttingen, Hanover, Leipzig, Mainz, Munich and Münster - offer special courses in the field of publicistics/ communications which, however - combined with other subjects - serve more as preliminary rather than actual professional training since relation to practice is generally limited. At three universities - Bamberg, Hohenheim and Mainz - and at the Hanover College of Music and Drama, applicants with a degree can complete a continuation course in journalistics/communication science which is more practice-related.

Several universities are trying to combine theory and practice in "integrated courses"in which practical training in press enterprises, broadcasting stations and public relations facilities are a compulsory part of the course. They are to be found in the Universities of Bamberg, Dortmund, Eichstätt, Hamburg and Munich.

The broadcasting corporations, which, for the most part, take on their new blood from the editorial offices of newspapers or magazines, have two institutions providing on-going vocational training and in-service training: the *Schule für Rundfunktechnik* (broadcast engineering), Nuremberg, in which some 1,000 members of staff from the technical departments at broadcasting stations take part annually, and the *Zentralstelle Fortbildung Programm* (in-service training centre) Frankfurt/Main, at which some 80 to 90 seminars for 1,500 trainees and editors are held yearly.

2. Journalists´ representative bodies

The glamour surrounding this profession in novels and films loses much of its sparkle in the journalist´s daily round. Not infrequently, his conception of the profession clashes with that of the employer. This is why there is great readiness on the part of journalists to join an **organization representing their interests:**

about 70% of all journalists are members of such a body. The largest professional organization, exclusively for journalists, is the *Deutscher Journalistenverband (DJV)* with 24,000 members. The *Deutsche Journalisten-Union (dju)* existed as an independent journalists´ trade union until April 1989 when it joined forces with other trade unions - printing, book binding and paper work, broadcasting, pictorial arts, theatre and a group of writers - to form the *Industriegewerkschaft Media* (media union). The individual professional associations remained as special groups in the union, but, as a result of the fusion, a powerful trade union has been created with some 245,000 members, 18,000 of whom come from the journalistic sector.

3. Self-monitoring instead of supervision

The **Deutsche Presserat** (German Press Council) was established in 1956 as a self-monitoring institution. It was hoped that the creation of this body - modelled on the British General Council of the Press - would result in a unified representation of the publishers´ and journalists´ interests vis-à-vis the general public and the state. The Association of Newspaper and Magazine Publishers and the Association of Journalists´ Organizations each dispatched 10 members to the new body which, however, was already prejudging a stalemate in conflicts of interest. True, the German Press Council approved a sort of Press Code - entitled *Publizistische Grundsätze* (Journalistic Principles) - and repeatedly made comments on media questions. Even so, over the years it became more and more an "appeal court". Differences between publishers and journalists paralyzed it for a while. After being restructured, it now functions mainly as a "moral court" with no powers to impose sanctions but which serves as a reminder that mass communication is not just business.

VII. Help for the media in the Third World

It was not until the World Year of Communication in 1983 and the discussion on the new pattern of global information and communication made Europe aware of the situation of the media in the Third World that state and private organizations began to involve themselves financially, technically and personnelwise in promotive support for the press and broadcasting in developing countries.

1. Training and further training a priority

Long-term, the training and further training of journalists and technical experts is undoubtedly the most appropriate way of promoting the media in the Third World since their knowledge of national needs and circumstances can be incorporated in the training they receive in the Federal Republic of Germany. Firm relations grew out of informal contacts and led to the setting up of an *ARD* commission (now dissolved) to study the relations of the broadcasting corporations with the developing countries. At a later date, the *ZDF* , the *Carl Duisberg Gesellschaft*, the organization which looks after foreign trainees, and the Federal Ministry of Economic Cooperation participated in the commission´s work.

Initially, the training was in the hands of the broadcasting corporation concerned. On behalf of the *ARD*, for instance, *Sender Freies Berlin* took on the training of television staff both in the programme and engineering sectors in October 1970. In December 1970, the training centre for radio staff at *Deutsche Welle*, Cologne, commenced operations. This radio station boasted the longest experience of on-the-job training of foreign trainees. Since that time, some 2,500 scholarship holders from 110 countries have completed this course. The Federal Ministry of Economic Cooperation has assumed a considerable part of the costs in the case of both stations and awards scholarships to the course members.

Training for the 40 participants per course at the *Sender Freies Berlin* Television Centre lasts 18 months as a rule: there are also special further training seminars. The salient feature here, as at the *Deutsche Welle* training centre, is the deliberate practice-related character of the training. It is for this reason that trainees produce ready-to-transmit programmes as soon as possible.

Press trainees from developing countries also receive their training and further training in Berlin: at the *Internationales Institut für Journalismus*. Here, and at the above-mentioned training centres, about 250 persons complete their training yearly. With the assistance of foundations and state offices, staff from foreign news agencies have the opportunity to further train in the journalistic and technical sectors at the *Deutsche Presse-Agentur*.

Apart from the training of foreign journalists and technical staff, German experts are also advising existing media in the Third World. In the broadcasting sector alone, some 40 experts are working in German development aid. The setting up of partnerships and the conclusion of cooperation agreements between German and foreign media institutions have also been exceptionally successful. German experts advise and support their foreign colleagues with technical assistance and the procurement of programmes. At the same time, journalists and technicians from the Third World use the facilities of their German partners for training and further training.

2. Programme exchange has established itself

Whereas technical assistance cannot take place in many cases because of the differing standards, the provision of programmes has turned out to be increasingly useful. For this purpose, the *Deutsche Welle* makes use of its **Radio Transcription Service**. Its programmes, produced in 10 languages, are taken over and processed by 970 broadcasting stations in 120 countries. *Deutsche Welle* has con-

cluded 1,150 cooperation agreements (programme exchange/rebroadcasting/personnel exchange etc). 20 years ago,the *ARD , ZDF, Deutschlandfunk* and the Federal Republic of Germany set up **Transtel**, a company for German television transcription. It makes ready-to-transmit copies of German television productions for recipients in other countries. These copies, however, are adapted beforehand to the programme structures of the recipient TV station and the viewing habits of the foreign audience.

3. State development aid: a political responsibility

Although the initiative for the projects mentioned so far is initially a media matter - even if subsidies are provided from public funds - the governments of the Federal Republic of Germany realized early on the importance of promoting an independent development of the media system in the new nation-states to exert a positive influence on social change. Ever since the Federal Ministry of Economic Cooperation assumed responsibility for the coordination of state development aid in 1961, far more than 800 projects at a total cost of over Dm 1 billion have been promoted. The emphasis of the projects has been on sound broadcasting because, with its help, the most rewarding progress in the field of information and education of broad areas of the population can be achieved. With the passage of time, press, television and film facilities have also been incorporated in response to suggestions by UNESCO in recent years that the work and cooperation of news agencies in non-aligned countries be given support. At an annual figure of Dm 50 million, the Federal Government is funding projects (including scholarship programmes in the Federal Republic of Germany) in more than 40 countries. State development aid for the media is aimed at promoting the freedom of opinion and making a contribution to social, economic and cultural development in Third World countries. It thus corresponds with the objectives of German foreign policy and the Federal Republic of Germany´s cooperation in international organizations.

(Inter Nationes)

VIII. Appendix

1. Article 5 of the Basic Law of the Federal Republic of Germany

"Everyone shall have the right freely to express and disseminate his opinion by speech, writing and pictures and freely to inform himself from generally accessible sources. Freedom of the press and freedom of reporting by means of broadcasts and films are guaranteed. There shall be no censorship.

These rights are limited by the provisions of the general laws, the provisions of law for the protection of youth, and by the right to inviolability of personal honour."

2. Statistics on the development of the daily press in the Federal Republic of Germany (1954-92)

Publistic Units			Press publishers			Editorial Editions			Sold copies in millions		
Year	absolute	(Index) (1954=100)	Year	absolute	(Index) 1954=100	Year	absolute	1954=100	Year	absolute	1954=100
1954	225	100	1954	624	100	1954	1,500	100	1954	13.5	100
1964	183	81	1964	573	92	1964	1,495	100	1964	17.3	129
1967	158	70	1967	535	86	1967	1,416	94	1967	18.0	134
1976	121	54	1976	403	65	1976	1,229	82	1976	19.5	146
1979	122	54	1979	400	64	1979	1,240	83	1979	20.5	153
1981	124	55	1981	392	62	1981	1,258	84	1981	20.4	152
1983	125	56	1983	385	62	1983	1,255	84	1983	21.2	158
1984	125	56	1984	386	62	1984	1,267	84	1984	21.1	157
1985	126	56	1985	382	61	1985	1,273	85	1985	20.9	156
1989	119	53	1989	358	57	1989	1,344	90	1989	20.3	150
1991*	158	-	1991*	410	-	1991*	1,673	-	1991*	27.3	-
1992*	143	-	1992*	394	-	1992*	1,620	-	1992*	26.5	-

* including the ex-GDR

Source: Walter J. Schütz: *Deutsche Tagespresse 1991*.
In: *Media Perspektiven*, No. 2/92, and updating.

3. The ten newspapers with the largest circulation

Title	Place of publishing	Sold copies in thousands (3rd quarter 1992)
Bild	Hamburg	4,521
Westdeutsche Allgemeine	Essen	626
freie presse	Chemnitz	522
Sächsische Zeitung	Dresden	459
Mitteldeutsche Zeitung	Halle	456
Süddeutsche Zeitung	Munich	397
Frankfurter Allgemeine Zeitung	Frankfurt/Main	382
Rheinische Post	Düsseldorf	343
Volksstimme	Magdeburg	343
LVZ. Leipziger Volkszeitung	Leipzig	340

4. The ten magazines with the largest circulation*

Title	Type	Sold copies in thousands (3rd quarter 1992)
Auf einen Blick	Radio and television magazine	3,103
Hörzu	Radio and television magazine	3,009
TV Hören+Sehen	Radio and television magazine	2,502
Fernsehwoche	Radio and television magazine	2,354
Bild der Frau	Women´s magazine	2,094
Funk Uhr	Radio and television magazine	2,047
Neue Post	Popular magazine	1,848
Tina	Women´s magazine	1,785
TV Movie	Radio and television magazine	1,762
Das Beste	Popular magazine	1,612

* Magazines published for members of an organization and supplements are not included.

4. Percentage shares of the individual ARD broadcasting corporations in the First German Television (Channel 1) in 1991

Westdeutscher Rundfunk	16.1
Norddeutscher Rundfunk	10.6
Bayerischer Rundfunk	9.0
Südwestfunk	5.3
Hessischer Rundfunk	5.2
Sender Freies Berlin	4.8
Süddeutscher Rundfunk	4.3
Saarländischer Rundfunk	1.5
Radio Bremen	1.3

(To these must be added the joint programmes with a share of 41.9%. The shares for the Mitteldeutsche Rundfunk and Ostdeutsche Rundfunk Brandenburg have still not been fixed.)

Rundfunkgesetze (Broadcasting Laws). Inter Nationes (Publ.)
- *Materialien zu Politik und Gesellschaft in der Bundesrepublik Deutschland* -
(Documents on Politics and Society in the Federal Republic of Germany)
Bonn 1989

Pressegesetze (Press Laws). Inter Nationes (Publ.)
- *Materialien zu Politik und Gesellschaft in der Bundesrepublik Deutschland*
(Documents on Politics and Society in the Federal Republic of Germany) -
Bonn 1980

Meinungsmacher oder Aufklärer? (Opinion-maker or enlightener?). Inter Nationes (publ.)
- *Journalistenausbildung in Deutschland* (Journalist training in Germany).
Bildung und Wissenschaft (Education and Science) N. 9/10
Bonn 1992

Wege zum Journalismus (Paths to Journalism). Bundesverband Deutscher Zeitungsverleger (publ.)
Bonn 1992

Massenmedien in der Bundesrepublik Deutschland (Mass Media in the Federal Republic of Germany)
Hermann Meyn
Berlin 1992

Zeitungen 1992 (Newspapers 1992). Bundesverband Deutscher Zeitungsverleger (publ.).
Bonn 1992

Zeitschriftenpresse in Zahlen 1992 (Magazine Press in Figures, 1992). Verband Deutscher Zeitungsverleger (eV {VDZ})
Bonn 1992

Jahrbuch 1992 (1992 Year Book). Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland (publ).
Hamburg 1992

Jahrbuch 1992 (1992 Year Book). Zweites Deutsches Fernsehen (publ.)
Mainz 1992

Medien Jahrbuch 1992 (1992 Media Year Book). Kellerer und Partner GmbH (publ.)
Ulm 1992

40 Jahre dpa/Deutsche Presse-Agentur (40 Years of dpa/Deutsche Presse Agentur Presse-Agentur). Deutsche Presse-Agentur (publ.).
Hamburg 1989

Werbung in Deutschland 1992 (Advertising in Germany in 1992). Zentral Ausschuß der Werbewirtschaft (publ.)
Bonn 1992

7. Addresses

Presse- und Informationsamt der Bundesregierung
(Press and Information Office of the Federal Government)
Welckerstraße 11
D-5300 Bonn 1

Deutscher Presserat
(German Press Council)
Wurzerstraße 46
D-5300 Bonn 2

Bundesverband Deutscher Zeitungsverleger e.V.
(National Association of German Newspaper Publishers Inc.)
Riemenschneiderstraße 10
D-5300 Bonn 2

Verband Deutscher Zeitschriftenverleger e.V.
(Association of German Magazine Publishers Inc.)
Winterstraße 50
D-5300 Bonn 2

Deutscher Journalisten-Verband e.V.
(German Journalists Association Inc.)
Bennauerstraße 60
D-5300 Bonn 1

Bundes-Pressekonferenz e.V.
(Federal Press Conference Inc.)
Heussallee 2-10
D-5300 Bonn 1

Verein der Ausländischen Presse in der Bundesrepublik Deutschland
(Association of the Foreign Press in the Federal Republic of Germany)
Heussallee 2-10
D-5300 Bonn 1

Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland /ARD (Coordinating Association of Broadcasting Corporations Governed Under Public Law)
Neckarstraße 230
D-7000 Stuttgart 10

Zweites Deutsches Fernsehen (ZDF)
(Second German Television)
Essenheimer Landstraße
D-6500 Mainz 31

Deutsche Welle
Auslandsrundfunk der Bundesrepublik Deutschland
(External Broadcasting Corporation of the Federal Republic of Germany)
Raderberggürtel 50
D-5000 Köln 51

RTL plus Deutschland Fernsehen GmbH & Co. Betriebs KG
Aachener Straße 1036
D-5000 Köln 40

SAT 1 Satelliten Fernsehen GmbH
Hegelstraße 61
D-6500 Mainz 1